

2006

Asset Forfeiture Report

(Covers 2005)

*Michigan Department
of Community Health*



Office of Drug Control Policy

Office of Drug Control Policy
Donald L. Allen, Jr., Director
Mental Health and Substance Abuse Administration
Department of Community Health

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STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

**Jennifer M.
Granholm**
GOVERNOR

JANET OLSZEWSKI
DIRECTOR

July 14, 2006

Ms. Carol Morey Viventi
Secretary of the Senate
Michigan Senate
P.O. Box 30036
Lansing, MI 48909

Mr. Gary Randall
Clerk of the House
Michigan House of Representatives
P.O. Box 30014
Lansing, MI 48909

Dear Ms. Viventi & Mr. Randall:

In accordance with MCL 333.7524a., I am pleased to present to the Michigan Legislature the 14th comprehensive report on asset forfeiture. Michigan's asset forfeiture program saves taxpayer money and deprives drug criminals of cash and property obtained through illegal activity. Michigan's law enforcement community has done an outstanding job of stripping drug dealers of illicit gain and utilizing these proceeds to expand and enhance drug enforcement efforts to protect our citizens.

During 2005, over \$21.6 million in cash and assets amassed by drug traffickers was forfeited and put back into the fight against drugs through the use of state and federal forfeiture laws. Extensive multi-agency teamwork is evident in this report. Considerable assets were obtained as the result of joint enforcement involving several agencies at the federal, state, and local levels.

Forfeiture funds were used to further enforce drug laws by providing resources for drug enforcement personnel, needed equipment, undercover informant and investigative costs, and matching funds to obtain federal grants. Some of the forfeited assets were also used for drug and gang prevention education programs.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,

Donald L. Allen, Jr.
Director

FOREWORD

This is the 14th annual Asset Forfeiture Report pursuant to Michigan Compiled Laws 333.7524a. This report is a compilation of over 500 forfeiture report forms and additional data submitted to the Office of Drug Control Policy by Michigan law enforcement agencies. Of the 513 reports filed, 277 agencies reported receiving funds from forfeiture. During 2005, more than \$21.6 million in cash and property was seized under the state statute or by federal law, and put to use by law enforcement.

Asset forfeiture funding levels are unpredictable and can change each year. Accordingly, drug forfeiture funds will never replace full state and local resource commitments to law enforcement agencies. These funds are best used to supplement, not supplant, general state and local funding of law enforcement agencies and programs.

Funds forfeited in Michigan have been used as a source of match money to obtain federal drug enforcement grants, to purchase needed safety and surveillance equipment, to provide funds for undercover drug buys, and to fund additional personnel dedicated to drug law enforcement.

Collaboration and coordination are hallmarks of Michigan's effort to overcome drug trafficking in our communities. A significant portion of the assets seized from drug dealers were obtained as a result of local, state, and federal agencies working together. Michigan's Multijurisdictional Drug Task Forces are a good example of coordinated regional drug law enforcement aimed at dangerous drug dealers.

Nevertheless, while multijurisdictional efforts result in higher than average dollar amount seizures, the largest burden for drug law enforcement falls on the shoulders of local police departments. Through hard work and determination, local police departments - with the support of local prosecutors in drug investigations and forfeiture proceedings - were responsible for more than half of all assets forfeited in Michigan.

Governor Granholm has directed the Office of Drug Control Policy to enhance accountability to the public for all funds related to drug education, prevention, treatment and enforcement. Michigan is building safe and drug-free communities. Prevention, education, treatment and rehabilitation, and law enforcement all play an essential role in our ability to continually fine-tune an appropriate and just response to the many problems associated with illegal drugs.

I trust this report will prove useful and meet your concerns regarding assets forfeited pursuant to state drug laws. Please contact the Office of Drug Control Policy at (517) 373-4700 if you have any additional questions or concerns.



Janet Olszewski, Director
Michigan Department of Community Health

INTRODUCTION

Asset forfeiture is one of the most important and effective tools that law enforcement has to counter drug trafficking activity. The primary goal of asset forfeiture is to deter and punish drug criminals by taking away the goods, property, and money obtained through illegal activity. A secondary impact of this law is that it saves taxpayer money when forfeitures are utilized to support community drug enforcement.

Michigan's passage of asset forfeiture legislation has had an effect on drug enforcement statewide. Local police enforcement accounted for 56 percent of all forfeitures last year. Multijurisdictional task forces have collected more than \$57 million in the past 14 years. This past year, these task forces accounted for 25 percent of the total proceeds of state forfeitures. A conservative estimate of total net forfeitures by state and local agencies, since the beginning of the 1992 annual report period, is approximately \$217 million.

These forfeitures are the result of drug enforcement efforts. When federal funds for drug enforcement became available in 1987, agencies used the funds primarily for enforcement personnel. Forfeitures have provided match money to receive federal funds and have been utilized to directly fund enforcement activity. The forfeitures also are used to furnish police with safety and surveillance equipment to assist them as they face increasingly well-armed drug felons.

The report provides forfeiture sources, amounts seized statewide, and uses of the forfeiture funds. Some commentary and explanations are offered for the findings. Over 500 agencies responded to the asset forfeiture survey, and the data collected is presented in charts and graphs review.

While asset forfeitures will never replace state and local law enforcement appropriations due to the unpredictable nature of forfeiture levels and trends, these funds serve as a supplement and adjunct to enhance ongoing enforcement programs.

FORFEITURE PROCEEDINGS

State law provides two processes by which property can be forfeited:

1. If the property value is in excess of \$100,000, or the property was not seized under certain circumstances, a court proceeding must be instituted in Circuit Court to legally forfeit the property. Last year 1,234 Circuit Court proceedings were instituted and 901 were concluded.

2. More often, the property seized can be forfeited administratively. Unless the drug dealer or other parties can provide evidence of a valid legal interest in the property, the forfeiture process can be streamlined. Ninety-three percent of the forfeitures in 2005 were filed administratively. Drug dealers do not contest many of these cases, as they often do not have a sufficient legitimate source of income to have legally obtained the property seized.

PROCEEDINGS BY TYPE AND STATUS FOR FY05			
*Circuit Court Proceedings		Administrative	
Instituted (new cases)	1,234	Granted	11,614
Concluded	901		
Pending	362		

**Circuit Court cases can extend beyond the reporting period.*

Administrative forfeitures are used more frequently by local enforcement agencies. Of the 11,614 administrative forfeitures reported in 2005: 7,561 (65 percent) were by municipal agencies; 1,789 (15 percent) by multijurisdictional teams; 1,242 (11 percent) by sheriff departments; and, 1,022 (9 percent) by prosecutors. The majority of seizures is not for homes and real property, but is for amounts that are under the \$100,000 legal threshold requiring court proceedings. Of the \$21.6 million (net) in forfeiture actions concluded under Michigan law last year, approximately \$723,407 was attributable to forfeiture of single-family residential units (an approximate 50 percent decrease from 2004). In many cases, drug dealers are caught with cash that cannot be accounted for legitimately, or cars that are used to commit drug offenses. The administrative process provides an expedited procedure to resolve these cases while protecting the rights of those with a legitimate interest in the property.

FORFEITURE ANALYSIS

For purposes of this report, all forfeited items are classified as real property, conveyances, personal property, or cash. Real property consists of single-family residences, multi-family residences, industrial, commercial, and agricultural properties. Conveyances are considered automobiles, vessels, and aircraft. Cash is broken down as negotiable, securities, and other personal items.

The table below provides an overview of these four categories, and the total dollars forfeited to the criminal justice system during 2005.

FORFEITURES BY CRIMINAL JUSTICE UNIT

(2005 Figures: Amounts exclude any expense-related deductions or sharing percentages)

Forfeiture Category	Local Police Agencies	Multijurisdictional Task Forces	Sheriff Departments	Prosecuting Attorneys	Total Forfeiture
Real Property	\$264,018	\$409,389	\$10,000	\$40,000	\$723,407
Conveyances	\$1,229,364	\$768,396	\$372,029	\$30,737	\$2,400,526
Cash	\$8,842,732	\$3,632,905	\$3,722,129	\$272,902	\$16,470,668
Personal Property	\$215,353	\$296,456	\$26,334	\$46,033	\$584,176
<u>Total Amount Revenue</u>	<u>\$10,551,467</u>	<u>\$5,107,146</u>	<u>\$4,130,492</u>	<u>\$389,672</u>	<u>\$20,178,177</u>

Local police departments reported the greatest number of forfeitures (8,013) and the highest amount of total revenue (\$10,551,472). Local police departments also reported the greatest amount of cash forfeitures (\$8,842,732).

Multijurisdictional teams reported the second highest number of forfeitures (1,998) during the year as well as the second highest amount of total forfeiture revenue (\$5,107,146).

Sheriff departments reported the third highest number of forfeitures (1,422), which resulted in \$4,130,492 of revenue during 2005.

Prosecutors reported 1,082 forfeitures resulting in \$389,672.

FORFEITURE RECEIPTS

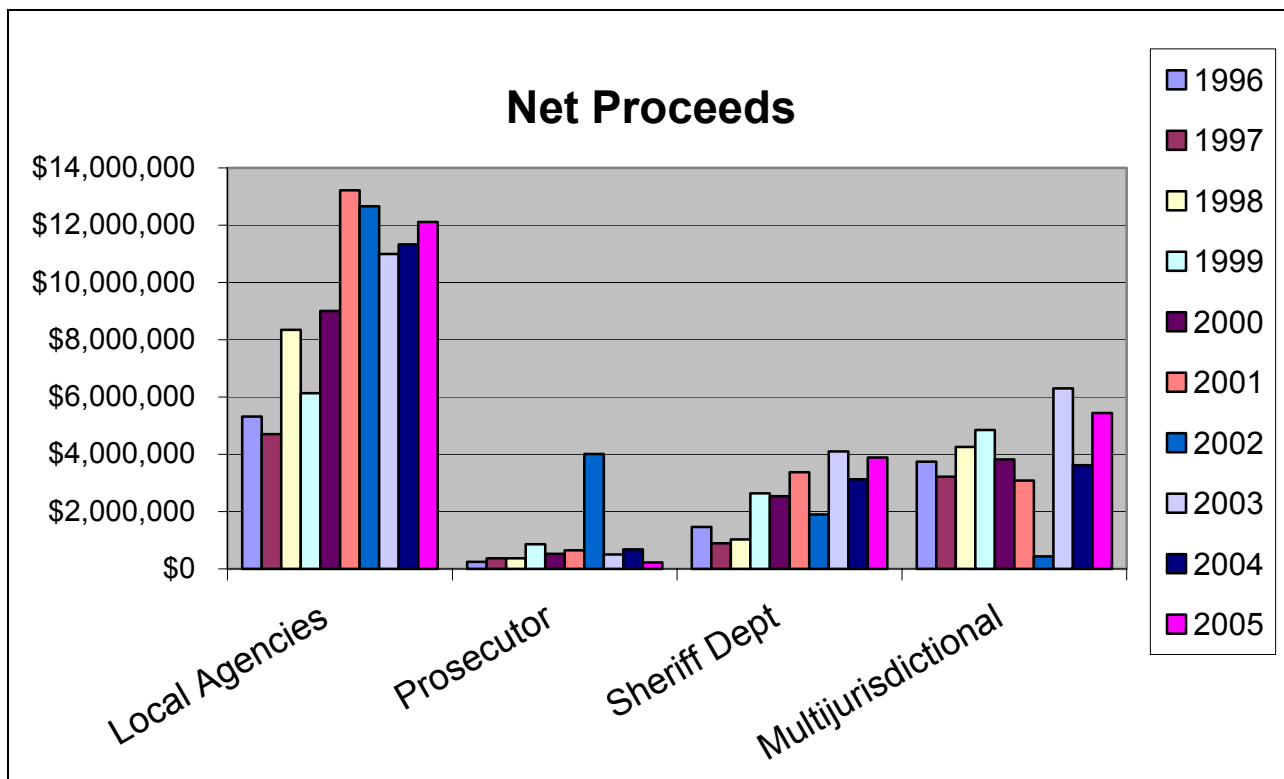
Proceeds available to law enforcement through asset forfeitures in 2005 totaled a net amount of \$21,681,023 after costs and federal sharing percentages. Through the United States Attorneys' offices in Michigan's eastern and western districts, federal law enforcement agencies shared forfeitures with state and local agencies. Under federal law, forfeitures by the United States government may be shared with other agencies that participate in the investigation. The relationships between state, local, and federal enforcement agencies have been enhanced through this process. State statutes do not require the disclosure of federal sharing amounts; therefore, many entities have not included those amounts in their reports.

NET PROCEEDS BY AGENCY*

	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Local Police Agencies	\$12,116,456	56%
Sheriff Departments	\$ 3,893,435	18%
Prosecuting Attorneys	\$ 224,612	1%
Multijurisdictional Task Forces	<u>\$ 5,446,520</u>	<u>25%</u>
TOTAL:	\$21,681,023	100%

*Due to rounding, figures are not exact.

A presentation of the proportion of total net proceeds applicable to each agency type is presented below. A comparison to prior annual report periods is presented as well.



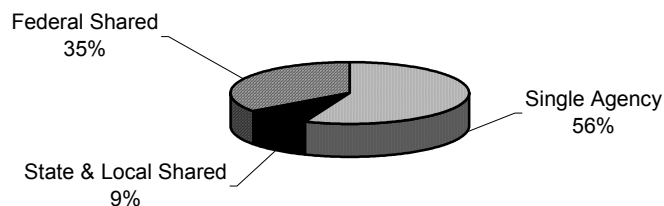
SOURCES OF FORFEITURE REVENUES

Law enforcement agencies can obtain forfeitures through independent drug investigations and seizures or by sharing the proceeds with state or other local agencies as a result of joint investigations. Participation in federal drug investigations enables agencies to receive forfeitures resulting from cases in the federal court system.

The following sections provide information regarding each reporting agency's source of net proceeds. The proceeds consist of local, state, and federal forfeitures.

Local Police Agencies

Source of Net Proceeds*

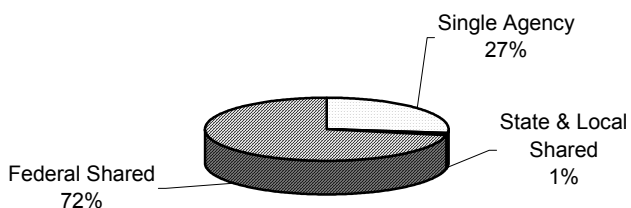


*Due to rounding, figures are not exact.

Local police agencies accounted for \$12,116,456 in overall net proceeds. State and local shared/joint actions accounted for \$1,094,561, and federal shared/joint agency action accounted for \$4,189,056.*

Sheriff Departments

Source of Net Proceeds*

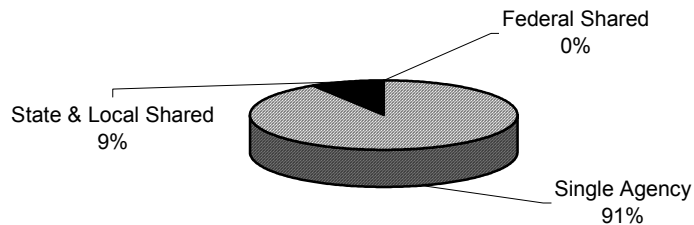


*Due to rounding, figures are not exact.

Sheriff departments accounted for \$3,893,435 in overall net proceeds. State and local shared/joint actions accounted for \$14,325, and federal shared/joint agency action accounted for \$2,852,991.

Prosecuting Attorneys

Source of Net Proceeds*

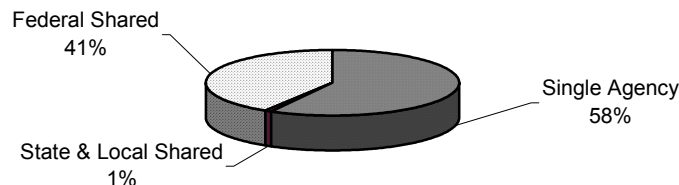


*Due to rounding, figures are not exact.

Prosecutors reported total net proceeds of \$224,612. State and local shared/joint agency action accounted for \$19,605, and federal shared/joint agency action accounted for \$0.

Multijurisdictional Task Forces

Source of Net Proceeds*



*Due to rounding, figures are not exact.

Multijurisdictional task forces reported \$5,446,420 in overall net proceeds. State and local shared/joint actions accounted for \$157,851, and federal shared/joint agency action accounted for \$2,215,721.

In summary, inter-agency cooperation is an integral part of the forfeiture process. Such cooperation between agencies promotes the enforcement of narcotics laws, and does not allow the drug dealers to avoid prosecution simply by changing location.

USE OF FORFEITURE FUNDS

Under state law, forfeiture funds are to be used to enhance drug law enforcement. Michigan law enforcement agencies have applied forfeiture funds to improve drug enforcement in various ways. Numerous agencies report in the comments section that forfeiture funds

provide resources to initiate, as well as to enhance, new aggressive drug enforcement activity that otherwise would not be undertaken.

The reporting agencies are requested to show the use of forfeiture funds in the six broad categories of personnel, equipment, informant fees, buy money, federal grant matching funds, and other expenses. The three major uses of forfeiture funds are: additional drug enforcement personnel, obtaining equipment, and training.

The following information relates only to those agencies completing the section of the report explaining how forfeiture funds were used to enhance controlled substance law enforcement efforts. The report requested the percentage of funds used or to be used for the categories indicated on the following page. Therefore, if an agency did not complete this section, the amount of net proceeds relating to that agency was removed from this comparison data. Seventy-five percent of the agencies reporting forfeitures completed the section on how forfeiture funds were spent.

The six categories covering the expenditures of forfeitures are explained below.

1. Personnel: Forfeiture funds are used to fund community policing officers, drug team personnel, and street-level enforcement teams. Overtime for specific drug raids and street sweeps is common.

2. Equipment: Drug dealers are becoming increasingly more sophisticated and, at times, better equipped than police. Updating safety, surveillance, and other equipment is an important use of forfeiture funds. Federal funds are increasingly being utilized for personnel costs only, forcing agencies to find alternative funding sources for equipment.

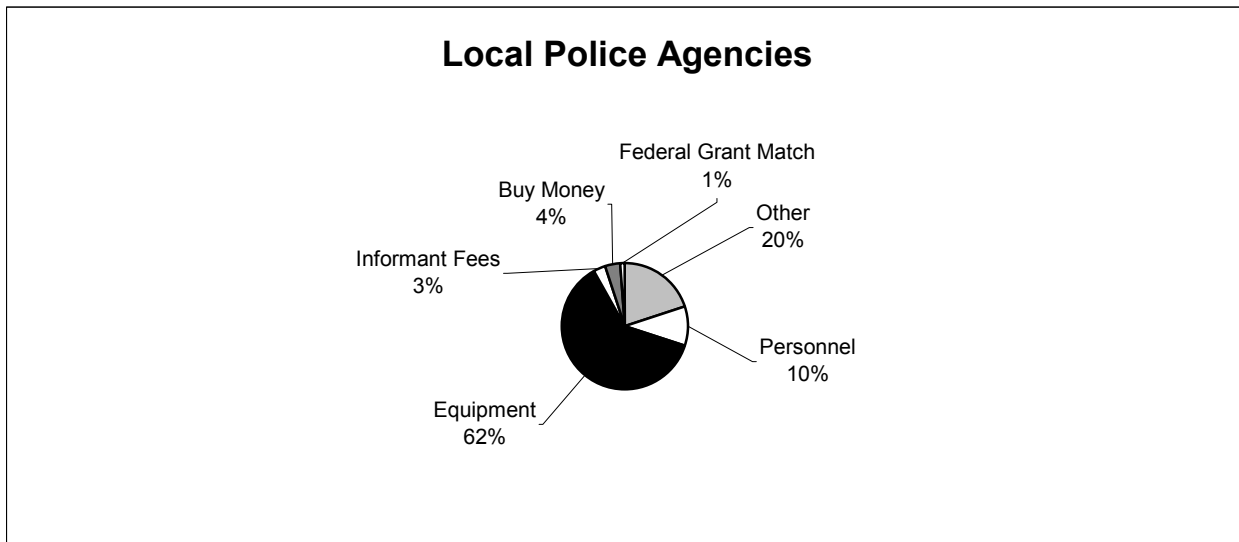
3. Federal Grant Match: An important use of forfeiture funds is to provide matching funds for federal grants. These funds help increase the number of police, investigators, and prosecutors dedicated to drug and drug crime enforcement. Multijurisdictional task forces rely heavily on federal funds to operate, and these funds require a cash match.

4. Informant Fees: A small proportion of net proceeds are used for informant fees. Forfeiture proceeds are a good source of revenue to obtain information to solve complex drug cases.

5. Buy Money: A small proportion of net proceeds is used for buy money. Making cases against drug dealers requires resources for undercover agents to make drug purchases, often over a period of time. Enforcement budgets may be inadequate for this expenditure. Forfeiture funds fill this gap and provide needed resources, especially for local police departments.

6. Other: Other expenses include training for narcotics officers; training for D.A.R.E. officers; operation of a D.A.R.E. program; operational expenses for multijurisdictional task forces; law reference materials for prosecutors; and extraordinary expenses that may not specifically fit into the five categories listed above, as well as unspent balances of forfeitures.

Below is an analysis of the proportion of use of net proceeds by each agency:

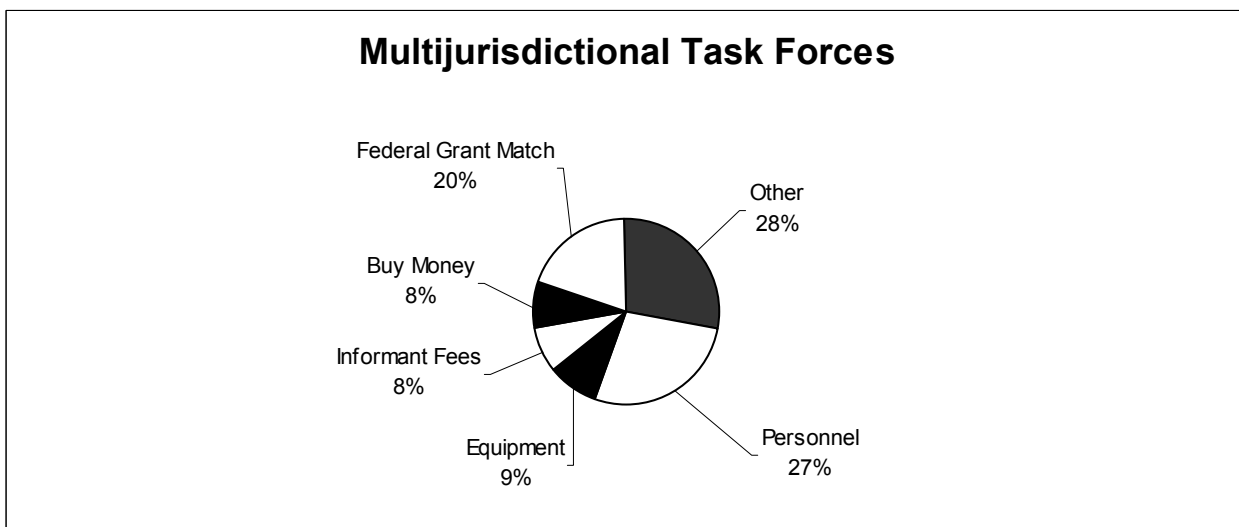


*Due to rounding, figures are not exact.

**The Forfeiture Statute requires all awarded funds to be used to enhance law enforcement efforts pertaining to the enforcement of controlled substance laws.

The comment sections of the reports indicate the personnel expenditures relate primarily to D.A.R.E. education officers and street-level drug enforcement teams. The equipment expenditures indicate the need for updated sophisticated equipment that is not practical to fund from general fund budgets. The other expenses cover supplies, operating costs, educational materials, and training seminars or classes.

Many entities reported that drug enforcement activities would be significantly reduced, restricted, or eliminated should forfeiture funding cease to be available.

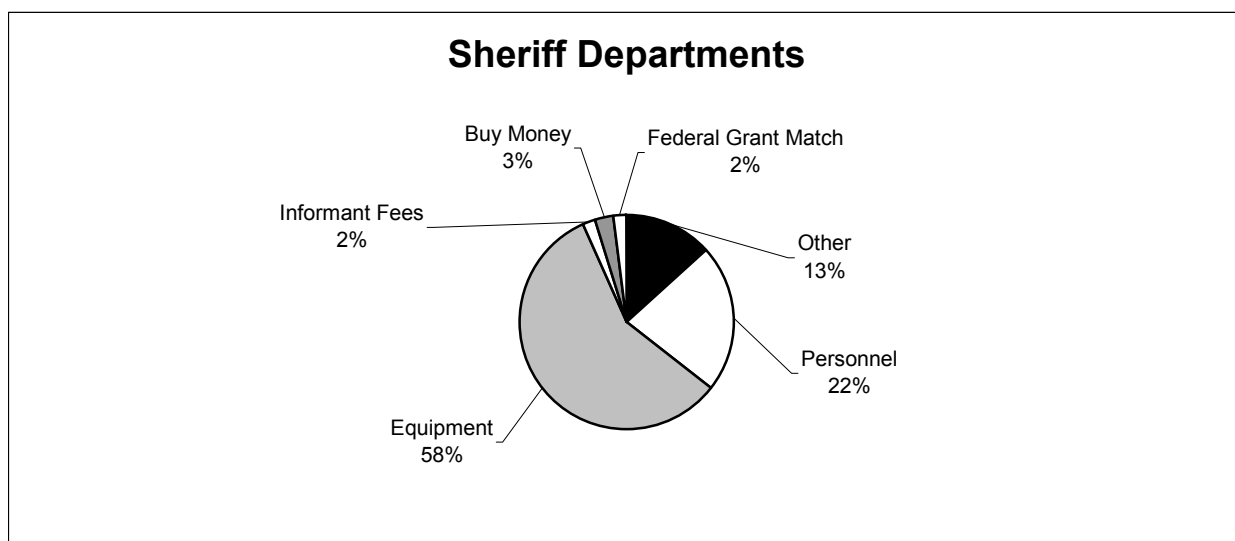


*Due to rounding, figures are not exact.

**The Forfeiture Statute requires all awarded funds to be used to enhance law enforcement efforts pertaining to the enforcement of controlled substance laws.

Multijurisdictional task forces are funded by federal grant funds, participating agency contributions, and forfeitures. The funding sources are reflected in the expenditure trend of forfeitures, and indicated in the graph above.

Many task forces addressed the use of funds through the comments section of the reporting form rather than indicating specific proportions used. The task forces also indicated that without forfeiture funds, some may not exist, or would need to reduce enforcement operations.



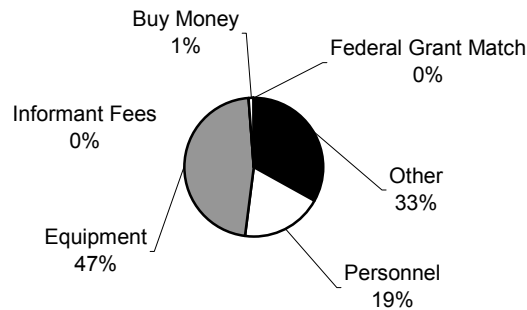
*Due to rounding, figures are not exact.

**The Forfeiture Statute requires all awarded funds to be used to enhance law enforcement efforts pertaining to the enforcement of controlled substance laws.

The use of forfeitures for equipment exceeds all other categories.

The expenditures reflect the use of the funds to maintain specialized drug enforcement units, funding specialized equipment purchases, supplies, operating costs, and personnel assigned to drug enforcement efforts.

Prosecuting Attorneys



*Due to rounding, figures are not exact.

**The Forfeiture Statute requires all awarded funds to be used to enhance law enforcement efforts pertaining to the enforcement of controlled substance laws.

Prosecuting attorneys generally receive only a percentage of each forfeiture as a fee for completing the proceeding. As a result, many prosecutors reported zero net proceeds, as the fees were consumed with the costs of completing the proceedings. Also, many prosecutors simply return the entire forfeiture to the agency initiating the proceeding. Those agencies with forfeiture income reported funding computer upgrades to make processing the forfeitures more efficient, along with supporting a specific drug prosecutor. The "other" category includes prosecutors' supplies, operating expenses, and funds given for multijurisdictional task forces.

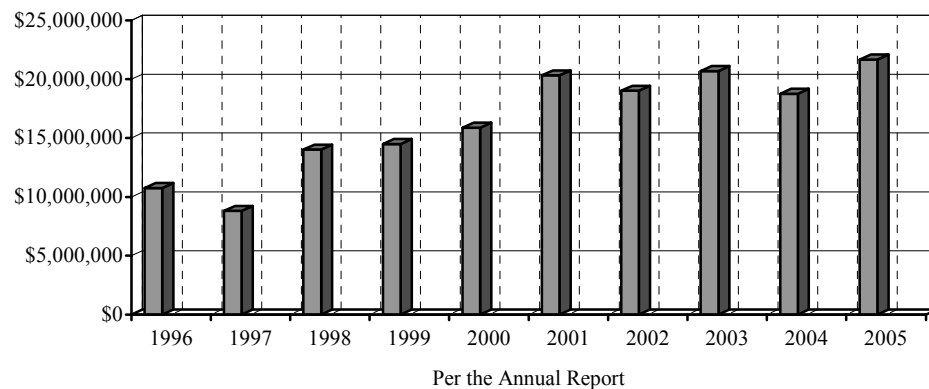
TREND ANALYSIS

Asset forfeitures are not considered a stable source of revenue as they may fluctuate dramatically from one year to the next. The 2005 report indicates an increase over 2004.

Net total proceeds are presented by the year of each annual report.

10 Year Comparison Total Net Proceeds

All Agencies Combined



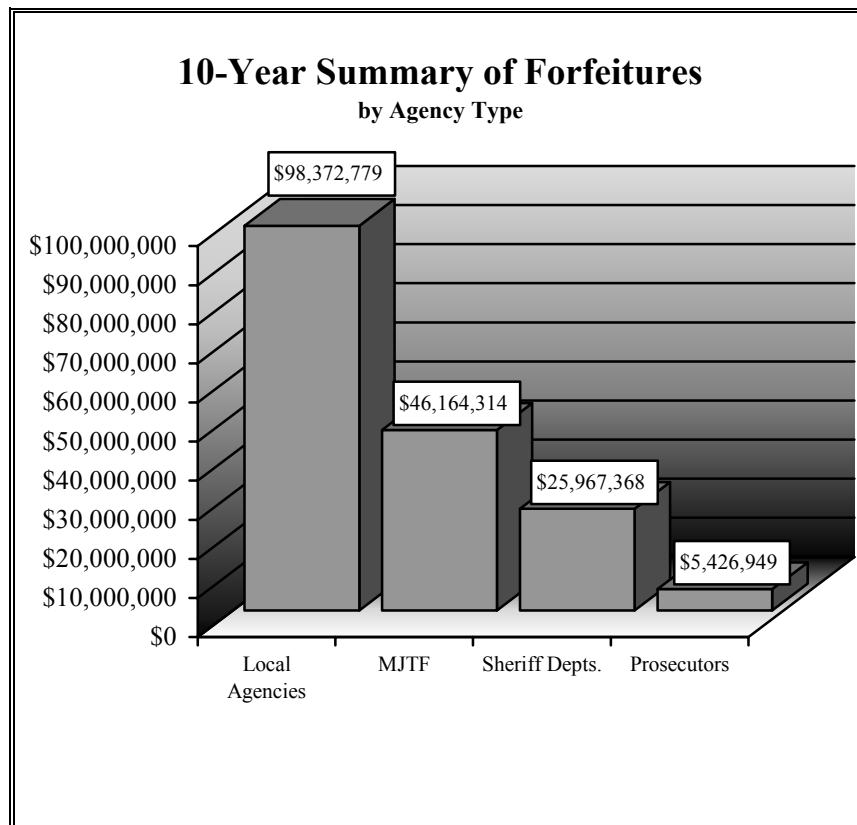
*Due to rounding, figures are not exact.

The information presented below is further broken down by agency classification.

NET PROCEEDS BY AGENCY TYPE

	1996	1997	1998	1999	2000
Local Police	\$5,278,176	\$4,333,258	\$8,348,832	\$6,137,342	\$9,001,526
Multijurisdictional	\$3,776,001	\$3,218,660	\$4,257,824	\$4,845,063	\$3,818,358
Sheriffs	\$1,461,755	\$898,082	\$1,028,901	\$2,639,789	\$2,536,331
Prosecutors	\$240,321	\$364,253	\$371,646	\$861,545	\$526,837
TOTAL:	\$10,756,253	\$8,814,253	\$14,007,203	\$14,483,739	\$15,883,052

	2001	2002	2003	2004	2005
Local Police	\$13,221,412	\$12,662,377	\$10,459,548	\$11,329,203	\$12,116,456
Multijurisdictional	\$3,088,642	\$4,012,922	\$5,965,507	\$3,624,488	\$5,446,520
Sheriffs	\$3,372,239	\$1,916,423	\$3,938,740	\$3,124,203	\$3,893,435
Prosecutors	\$644,885	\$430,241	\$339,586	\$680,706	\$224,612
TOTAL:	\$20,327,178	\$19,021,963	\$20,703,381	\$18,758,600	\$21,681,023



*Due to rounding, figures are not exact.

This section is devoted to documenting the use of net proceeds. The agencies were requested to report the estimated use of net proceeds in six general categories, including personnel, equipment, informant fees, buy money, federal grant match, and other. The “other” category includes training and education, supplies and operating expenses, unused balances of forfeitures, as well as any expenses not specifically included above.

The graph on the previous page displays the 10-year combined net proceeds. Each agency type is listed separately to provide an illustration of the proportion of forfeitures attributable to their agency.

Local police agencies account for the highest proportion of forfeitures. Over \$98 million has been forfeited to local police, for an annual average of over \$9.8 million.

Multijurisdictional task forces account for the second highest proportion of forfeitures. Over \$46 million has been forfeited to task forces, for an annual average of \$4.6 million.

County sheriff departments received over \$25 million in asset forfeitures, for an annual average of \$2.5 million.

Prosecutors regularly account for the smallest proportion of asset forfeitures, though they are involved in essentially all court proceedings. The 10-year total attributable to prosecutors amounts to over \$5 million, for an annual average of over \$500,000.

SCOPE OF THE REPORT

The forfeiture survey from the Office of Drug Control Policy was sent to 770 criminal justice agencies statewide. It incorporated all of the data requested by the Michigan Legislature in the applicable statute. Additional information requests were included regarding federal forfeiture sharing participation and the use of forfeiture funds. A copy of the report form and the cover memorandum can be found in Appendix D.

Of the report forms mailed, 277 agencies reported receiving forfeitures, 236 reported no forfeitures, and 257 did not report.

This report is not considered to be inclusive of all forfeitures within the state for the following reasons:

- Some agencies, especially at the county level, have all forfeitures reported through their multijurisdictional drug team.
- Forfeitures seized in previous years, yet awarded in the reporting year, may have inadvertently been left out of the reports.
- Not all entities reported and individuals preparing the reports may not have been aware of all proceeds required for disclosure.
- Many forfeiture proceedings involve multiple agencies and a portion may have been left out inadvertently due to a misunderstanding of which agency would report the forfeiture.
- Agency may have reported after the deadline for data computation.
- Federal-shared forfeitures do not fall within the guidelines of the statute.

REPORTING AND NON-REPORTING AGENCIES

	Year of Annual Report						
Reporting Forfeitures	<u>2006</u>	<u>2005</u>	<u>2004</u>	<u>2003</u>	<u>2002</u>	<u>2001</u>	<u>2000</u>
Local Agencies	194	205	210	197	156	167	167
Multijurisdictional	26	26	26	26	22	21	20
Sheriff Departments	43	47	42	42	36	31	35
Prosecuting Attorneys	14	16	16	24	12	12	12
TOTALS:	277	294	294	289	226	231	234
Reporting No Forfeitures							
Local Agencies	188	209	236	222	165	141	128
Multijurisdictional	0	0	0	1	0	0	0
Sheriff Departments	22	27	31	35	24	22	25
Prosecuting Attorneys	26	32	42	36	23	16	23
TOTALS:	236	268	309	294	212	179	176

Appendix A

**State of Michigan:
County Analysis**

STATE OF MICHIGAN - COUNTY ANALYSIS

Asset forfeitures, by their very nature, are inconsistent from year to year. This report does not necessarily reflect this fact when an analysis is prepared on overall data. Therefore, this office has added an additional section analyzing the reports submitted by county.

Presented in the following pages is a county-by-county summary of the reports submitted to the Office of Drug Control Policy.

**81 of the 83 counties participate in a multijurisdictional task force; therefore, forfeitures by counties must be added to the respective multijurisdictional task force for a total countywide forfeiture.*

County	Local Police				Sheriff		
	2004	2005	Change		2004	2005	Change
Alcona	\$0	\$0	\$0		\$0	\$0	\$0
Alger	\$0	\$0	\$0		\$0	\$0	\$0
Allegan	\$4,068	\$804	- \$3,264		\$31,081	\$2,156	-\$28,925
Alpena	\$0	\$79	+ \$79		\$0	\$0	\$0
Antrium	\$0	\$0	\$0		\$5,000	\$0	-\$5,000
Arenac	\$0	\$0	\$0		\$0	\$750	+\$750
Baraga	\$346	\$694	+\$348		\$0	\$0	\$0
Barry	\$6,815	\$2,974	-\$3,493		\$0	\$12,542	+\$12,542
Bay	\$18,213	\$42,409	+\$24,196		\$2,199	\$18,445	+\$16,246
Benzie	\$0	\$0	\$0		\$0	\$1,987	+\$1,987
Berrien	\$57,918	\$49,080	-\$8,838		\$147,647	\$120,237	-\$27,410
Branch	\$6,927	\$1,526	-\$5,401		\$39,915	\$403	-\$39,512
Calhoun	\$215,955	\$285,820	+\$69,865		\$1,961	\$20,928	+\$18,967
Cass	\$14,376	\$10,831	-\$3,555		\$8,526	\$0	-\$8,526
Charlevoix	\$0	\$0	\$0		\$500	\$875	+\$375
Cheboygan	\$763	\$1,989	+\$1,226		\$83	\$0	-\$83
Chippewa	\$0	\$0	\$0		\$0	\$0	\$0
Clare	\$939	\$0	-\$939		\$2,522	\$0	-\$2,522
Clinton	\$11,471	\$7,056	-\$4,415		\$3,610	\$24,082	+\$20,472
Crawford	\$0	\$0	\$ 0		\$0	\$0	\$0
Delta	\$771	\$3,227	+\$2,456		\$0	\$2,124	+\$2,124
Dickinson	\$6,277	\$3,551	-\$2,726		\$0	\$0	\$0
Eaton	\$195	\$1,064	+\$869		\$17,265	\$15,630	-\$1,635
Emmet	\$1,218	\$1,817	+\$599		\$786	\$0	-\$786
Genesee	\$149,284	\$88,806	-\$60,478		\$185,057	\$73,353	-\$111,704
Gladwin	\$21,071	\$9,528	-\$11,543		\$400	\$353	-\$47
Gogebic	\$0	\$0	\$0		\$12,213	\$1,089	-\$11,124
Grand Traverse	\$0	\$0	\$0		\$0	\$0	\$0
Gratiot	\$0	\$0	\$0		\$10	\$1,010	+\$1,000
Hillsdale	\$0	\$7,140	+\$7,140		\$3,570	\$15,110	+\$11,540
Houghton	\$0	\$0	\$0		\$0	\$0	\$0
Huron	\$3,083	\$2,708	-\$375		\$0	\$0	\$0
Ingham	\$1,044,167	\$246,990	-\$797,177		\$27,858	\$107,355	+\$79,497
Ionia	\$4,285	\$787	-\$3,498		\$200	\$1,799	+\$1,599
Iosco	\$1,128	\$0	-\$1,128		\$3,814	\$0	-\$3,814
Iron	\$7,173	\$0	-\$7,173		\$375	\$0	-\$375
Isabella	\$16,985	\$673,484	+\$656,499		\$6,192	\$3,975	-\$2,217
Jackson	\$161,441	\$86,939	-\$74,502		\$6,944	\$33,352	+\$26,408

County	Local Police				Sheriff		
	2004	2005	Change		2004	2005	Change
Kalamazoo	\$15,301	\$40,177	+\$24,876		\$28,918	\$28,656	-\$262
Kalkaska	\$0	\$0	\$0		\$0	\$0	\$0
Kent	\$412,949	\$361,876	-\$51,073		\$191,172	\$124,488	-\$66,684
Keweenaw	\$0	\$0	\$0		\$0	\$0	\$0
Lake	\$0	\$0	\$0		\$46,408	\$0	-\$46,408
Lapeer	\$14,471	\$7,886	-\$6,585		\$17,551	\$23,071	+\$5,520
Leelanau	\$150	\$0	-\$150		\$0	\$0	\$0
Lenawee	\$1,905	\$273,183	+\$271,278		\$0	\$0	\$0
Livingston	\$172,078	\$370,382	+\$198,304		\$21,535	\$110,449	+\$88,914
Luce	\$0	\$0	\$0		\$0	\$0	\$0
Mackinac	\$0	\$0	\$0		\$0	\$0	\$0
Macomb	\$1,875,649	\$1,186,531	-\$689,118		\$0	\$220,587	+\$220,587
Manistee	\$0	\$0	\$0		\$0	\$0	\$0
Marquette	\$812	\$5,204	+\$4,392		\$253	\$3,700	+\$3,447
Mason	\$0	\$3,599	+\$3,599		\$1,239	\$0	-\$1,239
Mecosta	\$1,960	\$0	-\$1,960		\$0	\$0	\$0
Menominee	\$0	\$0	\$0		\$0	\$0	\$0
Midland	\$0	\$0	\$0		\$0	\$6,306	+\$6,306
Missaukee	\$0	\$0	\$0		\$0	\$0	\$0
Monroe	\$12,010	\$10,661	-\$1,349		\$13,456	\$98,086	+\$84,630
Montcalm	\$0	\$342	+\$342		\$0	\$0	\$0
Montmorency	\$0	\$0	\$0		\$0	\$0	\$0
Muskegon	\$26,010	\$27,065	+\$1,055		\$718	\$0	-\$718
Newaygo	\$38,249	\$0	-\$38,249		\$11,060	\$0	-\$11,060
Oakland	\$1,287,346	\$2,514,681	+\$1,227,335		\$28,542	\$8,353	-\$20,189
Oceana	\$0	\$80,575	+\$80,575		\$0	\$0	\$0
Ogemaw	\$0	\$0	\$0		\$0	\$789	+\$789
Ontonagon	\$0	\$0	\$0		\$0	\$0	\$0
Osceola	\$1,267	\$0	-\$1,267		\$0	\$0	\$0
Oscoda	\$0	\$0	\$0		\$0	\$0	\$0
Otsego	\$0	\$0	\$0		\$0	\$6,682	+\$6,682
Ottawa	\$0	\$0	\$0		\$53	\$0	-\$53
Presque Isle	\$0	\$0	\$0		\$0	\$0	\$0
Roscommon	\$1,309	\$14,718	+\$13,409		\$770	\$7,075	+\$6,305
Saginaw	\$108,840	\$52,851	-\$55,989		\$73,572	\$30,908	-\$42,664
Sanilac	\$0	\$0	\$0		\$0	\$0	\$0
Schoolcraft	\$0	\$0	\$0		\$0	\$0	\$0
Shiawassee	\$0	\$825	+\$825		\$21,721	\$0	-\$21,721
St. Clair	\$49,384	\$15,815	-\$33,569		\$0	\$108,669	+\$108,669
St. Joseph	\$16,076	\$10,462	-\$5,614		\$53,136	\$37,689	-\$15,447
Tuscola	\$760	\$0	-\$760		\$495	\$0	-\$495
Van Buren	\$6,073	\$12,092	+\$6,019		\$21,470	\$31,529	+\$10,059
Washtenaw	\$34,848	\$14,345	-\$20,503		\$518,558	\$39,676	-\$478,882
Wayne	\$5,502,346	\$6,338,528	+\$836,182		\$1,452,351	\$2,638,143	+\$1,185,792
Wexford	\$1,205	\$11,422	+\$10,217		\$0	\$0	\$0

Appendix B

State of Michigan:
Multijurisdictional Analysis

Multijurisdictional Task Forces

B.A.Y.A.N.E.T.			F.A.N.G.		
Counties:			County:		
Bay			Genesee		
Isabella	2004:	\$64,966		2004:	\$133,875
Midland	2005:	\$283,297		2005:	\$253,766
Saginaw	Change:	+218,331		Change:	+\$119,891

CASS COUNTY DRUG ENFORCEMENT TEAM			H.U.N.T.		
County:			Counties:		
Cass			Alcona		
	2004:	\$21,218	Alpena	2004:	\$11,580
	2005:	\$79,407	Montmorency	2005:	\$72,742
	Change:	+\$58,189	Presque Isle	Change:	+\$61,162

C.M.E.T.			J.N.E.T.		
Counties:			County:		
Ionia			Jackson		
Mecosta					
Montcalm					
Newaygo	2004:	\$46,735		2004:	\$120,685
Osceola	2005:	\$140,138		2005:	\$173,981
	Change:	+\$93,403		Change:	+\$53,296

C.O.M.E.T.			K.V.E.T.		
County:			County:		
Macomb			Kalamazoo		
	2004:	\$638,386		2004:	\$344,737
	2005:	\$482,429		2005:	\$483,423
	Change:	-\$155,957		Change:	+\$138,686

D.R.A.N.O.			L.A.W.N.E.T		
County:			Counties:		
Wayne			Jackson		
			Livingston		
			Washtenaw		
	2004:	\$326,441		2004:	\$395,290
	2005:	\$470,668		2005:	\$617,748
	Change:	+\$144,227		Change:	+\$222,458

M.A.G.N.E.T.			SANILAC COUNTY DRUG TASK FORCE		
Counties:			County:		
Shiawassee			Sanilac		
Gratiot					
	2004:	\$42,011		2004:	\$46,945
	2005:	\$26,427		2005:	\$8,954
	Change:	-\$15,584		Change:	-\$37,991

M.E.T		S.A.N.E	
County: Kent		Counties: Charlevoix Cheboygan Chippewa Emmet Luce Mackinac Otsego	
2004:	\$333,266	2004:	\$40,172
2005:	\$306,895	2005:	\$102,780
Change:	-\$26,371	Change:	+\$62,608

N.E.T.		S.S.C.E.N.T.	
Counties: Oakland		Counties: Lake Manistee Mason Oceana	
2004:	\$121,551	2004:	\$48,069
2005:	\$136,955	2005:	\$43,995
Change:	+\$15,404	Change:	-\$4,074

S.W.E.T.		S.T.I.N.G.	
Counties: Barry Branch Calhoun Cass Kalamazoo St. Joseph Van Buren		Counties: Arenac Crawford Iosco Ogemaw Oscoda Roscommon Arenac	
2004:	\$18,729	2004:	\$38,666
2005:	\$481,659	2005:	\$43,985
Change:	+\$462,930	Change:	+\$5,319

O.M.N.I.		TRI COUNTY METRO	
County: Hillsdale Lenawee Monroe		Counties: Clinton Eaton Ingham	
2004:	\$28,664	2004:	\$447,249
2005:	\$22,128	2005:	\$367,862
Change:	-\$6,536	Change:	-\$79,387

T.N.T.		W.E.M.E.T.	
Counties: Antrim Benzie Grand Traverse Kalkaska Leelanau Missaukee Wexford		Counties: Allegan Muskegon Ottawa	
2004:	\$62,082	2004:	\$217,766
2005:	\$281,170	2005:	\$166,160
Change:	+\$219,088	Change:	-\$51,606

T.N.U.		W.W.N.	
Counties: Huron Lapeer Sanilac Tuscola		County: Wayne	
	2004: \$5,451		2004: \$18,920
	2005: \$55,749		2005: \$706,294
	Change: <u>+\$50,298</u>		Change: <u>+\$687,374</u>

U.P.S.E.T.		ST. CLAIR COUNTY DRUG TASK FORCE	
Counties: Alger Baraga Delta Dickinson Gogebic Houghton Iron Keweenaw Marquette Menominee Ontonagon Schoolcraft		Counties: St. Clair	
	2004: \$64,736		2004: \$0
	2005: \$11,668		2005: \$108,669
	Change: <u>-\$53,068</u>		Change: <u>+\$108,669</u>

Appendix C

**Asset Forfeiture Law:
Annual Reporting Requirements**

Asset Forfeiture Law: Annual Reporting Requirements

COMPILED LAWS ANNOTATED, Sec. 333.7524a

333.7524a. Local units of government; annual reports, audits.

(1) Before February 1 of each year, each local unit of government that had forfeiture proceedings pending in the Circuit Court pursuant to section 7523;¹ or effectuated a forfeiture of property pursuant to section 7524² during the fiscal year for the local unit of government ending in the immediately preceding calendar year shall submit a report to the office of drug agencies for analysis and transmittal to the secretary of the senate and the clerk of the house of representatives. The annual report shall be a summary of the local unit of government's activities regarding the forfeiture of property under this article and pursuant to section 17766a³ for the fiscal year and shall contain the following information, as applicable:

(a) The number of forfeiture proceedings that were instituted in the Circuit Court by the local unit of government.

(b) The number of forfeiture proceedings instituted by the local unit of government that were concluded in the Circuit Court.

(c) The number of all forfeiture proceedings instituted by the local unit of government without filing a forfeiture proceeding in the Circuit Court.

(d) The net total proceeds of all property forfeited under this article and pursuant to section 17766a through forfeitures instituted by the local unit of government that the local unit of government is required to account for and report to the state treasurer pursuant to either of the following, as applicable:

(i) Act No. 71 of the Public Acts of 1919, being sections 21.41 to 21.53 of the Michigan Compiled Laws.

(ii) The uniform budgeting and accounting act, Act No. 2 of the Public Acts of 1968, being sections 141.421 to 141.440a of the Michigan Compiled Laws.

(e) An inventory of property received by the local unit of government pursuant to section 7524 and section 1766a, including, but not limited to, all of the following:

(i) All of the following real property:

- (A) Single-family residential.
- (B) Multiple-family residential.
- (C) Industrial.
- (D) Commercial.
- (E) Agricultural.

(ii) Any type of conveyance described in section 7521(1)(d),⁴ including the year, make, and model.

(iii) Money, negotiable instrument, and securities.

(iv) The total value of personal property, excluding personal property described in subparagraphs (ii) and (iii).

(f) A statement explaining how the money received by the local unit of government pursuant to section 7524(1)(b)(ii) has been used or is being used to enhance the law enforcement efforts pertaining to this article or section 17766a.

(2) The records of a local unit of government described in subsection (1) regarding the forfeiture of property under this article or pursuant to section 17766a shall be audited in accordance with 1 of the following, as applicable:

(a) Act No. 71 of the Public Acts of 1919, being sections 21.41 to 21.53 of the Michigan Compiled Laws.

(b) The uniform budgeting and accounting act, Act No. 2 of the Public Acts of 1968, being sections 141.421 to 141.440a of the Michigan Compiled Laws.

(3) The records of a local unit of government described in subsection (1) regarding the forfeiture of property under this article or pursuant to section 17766a may be audited by an auditor of the local unit of government.

P.A. 1978, No. 368, § 7524a, added by P.A. 1990, No. 336, § 1, Effective April 1, 1991.

1. Section 333.7523.
2. Section 333.7524.
3. Section 333.17766a.
4. Section 333.7521(1)(d).

Historical and Statutory Notes

For effective date provisions of P.A. 1990, No. 336, see the Historical and Statutory Notes following § 333.7523

Appendix D

Forfeiture Report Form and Cover Letter

Forfeiture Report Form and Cover Letter



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

Memorandum

TO: Criminal Justice Colleagues

FROM: Patrick Barrie, Deputy Director
Mental Health and Substance Abuse Administration

DATE: December 16, 2005

SUBJECT: Asset Forfeiture Reporting

Pursuant to MCL 333.7524a, Michigan law requires each local unit of government to report certain asset forfeiture information before February 1 to the Office of Drug Control Policy (ODCP) for analysis and transmittal to the Secretary of the Senate and the Clerk of the House of Representatives.

As in previous years, you will find an asset forfeiture reporting form enclosed. **In the event that your agency did not effectuate any forfeiture proceedings during the last fiscal year, we ask that you still fill out the identification section of the form and return it to our office.** Step-by-step instructions have been enclosed to clarify any questions that may arise. A "fill-in enabled" version of the form is also available on the ODCP website, which can be found at www.michigan.gov/odcplawenforcement. Click on Forms. The form is located under the "Annual Asset Forfeiture Report" section. **Use of the fill-in enabled form will allow you to submit your report via e-mail to Jim Rapp at rappj@michigan.gov.**

Please be advised that the asset forfeiture reporting form MUST be returned to ODCP no later than **February 1, 2006**. Your prompt submission of the form is appreciated. The information that you submit will be analyzed and included with similar information collected from agencies across the state. The State of Michigan Asset Forfeiture Report will be posted on the ODCP website during the summer of 2006.

Should you have questions or need assistance, please contact Jim Rapp at (517) 241-2916, or by e-mail at rappj@michigan.gov. Thank you.

rml

Enclosures: Reporting Instructions
Asset Forfeiture Report Form

Annual Local Unit of Governmental Asset Forfeiture Report

Fiscal Year _____, 200_ through _____, 200_
(Designate your fiscal year)

Agency, Entity Reporting	Street Address		
City, State, Zip Code	County	Telephone Number () -	
Director, Chief, Sheriff, Prosecutor	Title	Date	
Contact Person Name	Telephone Number () -	Email address	

If there are no forfeitures to report for the above fiscal year please check here and return form.

☐

A.	Number of forfeiture proceedings:			
	1. <i>Instituted in Circuit Court:</i>			
	2. <i>Concluded in Circuit Court:</i>			
	3. <i>Pending in Circuit Court:</i>			
	4. Administratively granted (Circuit Court not involved):			
B.	Inventory of Forfeited Real Property awarded to the Reporting Agency:			
	1. Single Family Residential:	# of Units:	Dollar Amount:	\$
	2. Multiple Family Residential:	# of Units:	Dollar Amount:	\$
	3. Industrial units:	# of Units:	Dollar Amount:	\$
	4. Commercial units:	# of Units:	Dollar Amount:	\$
	5. Agricultural and Land Units:	# of Units:	Dollar Amount:	\$
	6. <i>SUBTOTAL for Real Property:</i>		Dollar Amount Subtotal:	\$

C.	Inventory of Forfeited Conveyances awarded to the Reporting Agency (Use Attachment A):		
	1. Motor Vehicles:	# of Motor Vehicles:	Dollar Amount: \$
	2. Vessels:	# of Vessels:	Dollar Amount: \$
	3. Aircraft:	# of Aircraft:	Dollar Amount: \$
	4. <i>SUBTOTAL for Conveyances:</i>		Dollar Amount Subtotal: \$
D.	Total dollar amount of Cash, Negotiable Instruments, and Securities awarded to the Reporting Agency:		
		Dollar Amount:	\$
E.	Forfeited Other Personal Property (not listed above) awarded to the Reporting Agency:		
		Dollar Amount:	\$
F.	Indicate the net proceeds your agency received from shared forfeitures (Use Attachment B)		
	1. Federal forfeitures shared:		\$
	2. State/ Local Joint Investigations:		\$
	3. <i>SUBTOTAL for Shared forfeitures received:</i>	Dollar Amount Subtotal:	\$
G.	Deductions from gross proceeds:		
	1. Administrative costs incurred to close the forfeiture	Dollar Amount:	\$
	2. Amount of proceeds shared with (given to) other agencies: (Use Attachment B)	Dollar Amount:	\$
	3. <i>SUBTOTAL for Deductions:</i>	Dollar Amount Subtotal:	\$
H.	NET TOTAL PROCEEDS of all property forfeited (B6 + C4 + D + E + F3 - G3)		Dollar Amount: \$

I.	Report how forfeiture funds were used by your agency to enhance controlled substance law enforcement efforts in accordance with M.C.L. 333.7524. Only report expenditures during this reporting period. Report in percentages only, total expenditures must equal 100 percent			
	1. Personnel:	%	4. Buy Money:	%
	2. Equipment:	%	5. Federal Grant Match:	%
	3. Informant Fees:	%	6. Other (Please describe below):	%
	Describe:			
J.	Donated Grow Lights and Scales (Use Attachment C):			
	1. Lights for Plant Growth:	# of Lights:	Value of all Lights:	\$
	2. Scales:	# of Scales:	Value of all Scales:	\$

Certification of Submission	
I confirm that the information I have provided is true to the best of my knowledge and I am an authorized agent to submit this report. NAME/TITLE (please print/type): <hr/>	Date:

Please return form via Mail/ Fax/ or E-Mail to:

Mail:

The Office of Drug Control Policy
Department of Community Health
Lewis Cass Building
320 S. Walnut Street, 5th Floor
Lansing, MI 48913

FAX: (517) 373-2963

E-Mail: rappj@michigan.gov

Should you have questions or need assistance, please contact Jim Rapp at (517) 241-2916, or by e-mail at rappj@michigan.gov.

Attachment A

Forfeited Conveyance Information (Vehicles, Vessels, and Aircraft)

[illegible]

Forfeiture Dollars Received from other Agencies

Forfeiture Dollars Sent to other Agencies

31

Attachment C

Elementary, Secondary Schools or Institutions of Higher Education
receiving lights for plant growth or scales.

[illegible]